

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 13, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Deb Schorr
Bob Workman

Others Present: Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 6, 2004.**

MOTION: Heier moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated April 6, 2004. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. A resolution in the matter of declaring the week of April 19 through April 23, 2004 as Lancaster County Crime Victims' Rights Week (R-04-0036) - JoAnna Svoboda, Kathy Stevenson, Pat Westendorf and Jody Brott

MOTION: Heier moved and Hudkins seconded approval of Resolution 04-0036 in the matter of declaring the week of April 19 through April 23, 2004 as Lancaster County Crime Victims' Rights Week. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

- 3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS FOR REVIEW:**

- A. Payment Voucher 782-5347, dated March 19, 2004, payable to Good Neighbor Community Center, in the amount of \$3,510. This payment is for the reimbursement of unemployment insurance benefits.
- B. Payment Voucher 782-5309, dated March 15, 2004, payable to Family Service Association, in the amount of \$1,673.27. This payment is for services provided from March, 2003 to July, 2003. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).
- C. Payment Voucher 782-5289, dated March 10, 2004, payable to Youth Care Inc., in the amount of \$5,340. This payment is for the reimbursement of services received in July, 2003. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).

Items 4A through 4C were held at the request of the County Board.

- D. Payment Voucher 784-8980, dated March 29, 2004, payable to Nancy G. Field, in the amount of \$446.28. The payment is for reimbursement for travel and expenses from November 5, 2003 to February 29, 2004. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).

MOTION: Hudkins moved and Workman seconded approval of Payment Voucher 784-8980, dated March 29, 2004, payable to Nancy G. Field, in the amount of \$446.28. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

5) **CLAIMS:** Approval of all claims processed through Tuesday, April 13, 2004.

MOTION: Workman moved and Hudkins seconded approval of all claims processed through April 13, 2004. Schorr, Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

6) **PUBLIC HEARINGS:**

A. Continuation of a public hearing regarding a petition from ten percent of the property owners living in Plum Ridge Estates for formation of a special paving improvement district. The proposed District will be called the Plum Ridge Road Improvement District.

The Chair reconvened the public hearing.

In response to a question asked by Heier, Kristy Mundt, Deputy County Attorney, gave a summary of the opinion request regarding the creation of a road improvement district.

Offered and marked for the record were the following:

- ▶ Copy of the public notice appearing in the *Journal Star* (Exhibit A)
- ▶ Written petition opposing the creation of a road improvement district in Plum Ridge Estates (Exhibit B)
- ▶ List of property owners as provided by the County Assessor/Register of Deeds Office (Exhibit C)
- ▶ Copy of legal opinion from the County Attorney's Office regarding the creation of a road improvement district (Exhibit D)

Mundt added that the statute provides that the written protest be filed within ten days after first publication of notice. She stated the first notice was in the *Journal Star* on March 25, 2004, making the last day of the ten day period April 4, 2004. Mundt noted that April 4th was on a Sunday so there would have been one extra day to file the protest, which would have been Monday, April 5th. The petition was filed on April 5, 2004 making it within the ten day period as required by Neb. Rev. Stat. §39-1604(2).

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

MOTION: Schorr moved and Hudkins seconded to abandon all proceedings regarding the formation of a special paving improvement district called Plum Ridge Road Improvement District. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

7) **OLD BUSINESS:**

- A. An interlocal agreement with Educational Service Unit 18 for educational services to youth detained at the Juvenile Detention Center, beginning August 16, 2004 and ending July 31, 2005. The County will reimburse ESU 18 up to \$837,780 for services provided. (C-04-0168)**

MOTION: Heier moved and Workman seconded approval of an interlocal agreement with Educational Service Unit 18 for educational services to youth detained at the Juvenile Detention Center, beginning August 16, 2004 and ending July 31, 2005. Heier, Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

8) **NEW BUSINESS:**

- A. An application for a Special Events Permit from OuTek, Inc. to hold a 10k running/biking race on Saturday, June 26, 2004, beginning at 9:00 a.m. at Branched Oak Lake.**

Matt Davis, applicant, appeared and indicated he had no objections to any of the recommendations made by the Sheriff's Office.

MOTION: Heier moved and Workman seconded approval of an application for a Special Events Permit from OuTek, Inc. to hold a 10k running/biking race on Saturday, June 26, 2004, beginning at 9:00 a.m. at Branched Oak Lake. Workman, Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

- B. A contract with Greater Plains Athletic, in the amount of \$8,360, to provide and install Robbins Pulastic flooring in exercise Pod B-1 for the Lancaster County Corrections Department. (C-04-0182)**

MOTION: Workman moved and Heier seconded approval of a contract with Greater Plains Athletic, in the amount of \$8,360, to provide and install Robbins Pulastic flooring in exercise Pod B-1 for the Lancaster County Corrections Department. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

8) **NEW BUSINESS CONTINUED:**

C. Recommendation from the Purchasing Agent and the County Engineer to reject all bids received for address signs and rewrite the specifications to a different standard. (B-04-0015)

Don Thomas, County Engineer, informed the Board that there is a new type of printing application called screen printing and explained that after all bids were received it was found that Cornhusker Industries bid screen printing and the remaining vendors had not. In fairness to all bidders, he said, the recommendation would be to reject all bids, rewrite the specifications to include screen printing and rebid the signs.

MOTION: Heier moved and Hudkins seconded to reject all bids received for address signs and rewrite the specifications to a different standard as recommended by the Purchasing Agent and the County Engineer. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

D. A request from the Personnel Policy Board to amend Personnel Rule 4 concerning the Personnel Policy Board.

MOTION: Hudkins moved and Heier seconded approval of a request from the Personnel Policy Board to amend Personnel Rule 4 concerning the Personnel Policy Board. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

E. Appointment of Tim Golden to the Lincoln-Lancaster County Ecological Advisory Committee.

MOTION: Heier moved and Hudkins seconded approval of the appointment of Tim Golden to the Lincoln-Lancaster County Ecological Advisory Committee. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

F. Appointment of Dr. Catherine S. Alley to the Lincoln-Lancaster County Board of Health for a three year term to expire April 15, 2007. (Replacing Dr. Donna Howe.)

MOTION: Schorr moved and Hudkins seconded approval of the appointment of Dr. Catherine S. Alley to the Lincoln-Lancaster County Board of Health for a three year term to expire April 15, 2007. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

8) **NEW BUSINESS CONTINUED:**

G. A political subdivision tort claim filed against the Lancaster County Corrections Department by Russell Harris, in the amount of \$65, for lost property.

MOTION: Workman moved and Hudkins seconded to accept the Director's recommendation and deny a political subdivision tort claim filed against the Lancaster County Corrections Department by Russell Harris, in the amount of \$65, for lost property. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

H. A political subdivision tort claim filed against the Lancaster County Corrections Department by Erick Moen for lost property.

MOTION: Heier moved and Schorr seconded to accept the Director's recommendation and deny a political subdivision tort claim filed against the Lancaster County Corrections Department by Erick Moen for lost property. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

9) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. **County Assessor/Register of Deeds Monthly Report for March, 2004.**
2. **County Attorney's Quarterly Report for January 1 through March 31, 2004.**
3. **County Clerk's Monthly Report for March, 2004.**
4. **Records and Information Management's Monthly Report for March, 2004.**
5. **Management Letter, Financial Statements and Independent Auditor's Report from Hayes & Associates, L.L.C. for the Lancaster County Leasing Corporation for the year ended June 30, 2003.**

9) **CONSENT ITEMS CONTINUED:**

B. Setting of a public hearing for Tuesday, April 20, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building to increase appropriations, in the amount of \$100,000, for the County Property Management Fund.

MOTION: Heier moved and Schorr seconded approval of the Consent Items. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

10) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2 p.m.. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 13, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Deb Schorr
Bob Workman

Others Present: Scott Gaines, Chief Administrative Deputy County
Assessor/Register of Deeds
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 6, 2004.

MOTION: Hudkins moved and Schorr seconded approval of the minutes of the Board of Equalization meeting dated April 6, 2004. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 29 additions and deductions to the tax assessment rolls per Exhibit "A".

MOTION: Heier moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

4) **APPROVAL OF A MOTOR VEHICLE TAX EXEMPTION:**

Catholic Bishop of Lincoln (2 exemption applications)
Capitol City Christian Church
Cornhusker Council of the Boy Scouts of America
Holy Family Sisters of the Needy
Transfiguration

MOTION: Workman moved and Heier seconded approval of motor vehicle tax exemptions for Catholic Bishop of Lincoln, Capitol City Christian Church, Cornhusker Council of the Boy Scouts of America and Holy Family Sisters of the Needy and to also approve a motor vehicle tax exemption for Transfiguration subject to the vehicle(s) being titled and registered to the applicant. Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Heier moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:02 p.m.. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk